

2/5/2020

JULIA C. DUDLEY, CLERK
BY: s/ J. Vasquez

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

DEPUTY CLERK

PRIMETIME VACATION RENTALS, LLC, and)
CHRISTOPHER GITTENS, Manager,)

Plaintiffs,)

v.)

MICHAEL FALLS, CHARLOTTE FALLS,)
MANDRED HENRY, WENDY HUNTER, AND)
BLACK CORPORATIONS I-V,)

Defendants.)

Civil Action No.: 5:19-cv-0092

By: Elizabeth K. Dillon
United States District Judge

MEMORANDUM OPINION

On December 13, 2019, the court issued an order to show cause directing plaintiffs Primetime Vacation Specials, LLC and Christopher Gittens ("Primetime" and "Gittens") to remedy various jurisdictional deficiencies in their complaint. The court also ordered the response to be made by counsel because plaintiffs "lack standing to appear *pro se* in this matter." (Dkt. No. 4.) The court set a deadline of fourteen days, which the court extended to the end of January 2020 in an oral order. (Dkt. No. 7.) Failure to correct these issues, the court warned, would result in dismissal. (Dkt. No. 4.)

Now before the court is plaintiffs' motion to place this matter on the "inactive" calendar to "allow plaintiff to properly address all of the items required by the Order to Show Cause and seek local counsel." (Dkt. No. 8.) The court does not have an "inactive" calendar, and even if it did, the remedy for a lack of subject matter jurisdiction is not an indefinite stay. Plaintiffs have failed to comply with the order to show cause why this case should not be dismissed for lack of subject matter jurisdiction. Neither have they appeared by counsel, as ordered by the court. Consistent

with that order, this matter must be dismissed for lack of subject matter jurisdiction and because plaintiffs cannot proceed *pro se* in this matter.

Entered: February 5, 2020.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge